

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

RAMON ARAGON, *et al.*,

Defendants.

69cv07941 BB-ACE

RIO CHAMA STREAM SYSTEM
Section 3: Rio Cebolla

Subfile No. CHCB-003-0015B

JOINT MOTION TO STAY LITIGATION PROCEEDINGS

COMES NOW the Plaintiff State of New Mexico, *ex rel.* State Engineer (“State”) and Defendants E. David and Lydia U. Archuleta (“Defendants”) and jointly move the Court to stay the litigation proceedings between the State and Defendants in connection with Subfile CHCB-003-0015B, and as ground therefor state as follows:

1. The State and Defendants wish to stay the litigation proceedings in order to pursue settlement negotiations that involve an expedited determination of the Defendants’ stock watering rights in connection with impoundment structures (ponds) located on land associated with Subfile CHCB-003-0015B. If the State and Defendants are able to reach an agreement on Defendants’ stock watering rights, the Defendants have agreed to withdraw their claim for irrigation water rights in connection with that land and subfile.

2. The State and Defendants request the Court to allow the expedited determination of stock watering rights, if any, in connection with impoundment structures located on land associated with Subfile CHCB-003-0015B, and stay further litigation proceedings between the State and Defendants pursuant to the Pretrial Order filed March 8, 2004 (No. 7428).

3. If the State and Defendants are unable to reach an agreement on Defendants' stock watering rights, the present litigation proceedings would be reinstated.

WHEREFORE the State and Defendants request the Court to stay the present litigation proceedings subject to the Pretrial Order filed March 8, 2004, and allow the expedited determination of the Defendants' stock watering rights in connection with impoundment structures located on land associated with Subfile CHCB-003-0015B.

Respectfully submitted,

/s/ Ed Newville

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CERTIFICATE OF SERVICE

I hereby certify that copies of the above Joint Motion to Stay Litigation Proceedings were mailed to the following persons on July 3, 2004.

/s/ Ed Newville
Edward G. Newville

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